

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THOMAS M. KELLEY,
Plaintiff,

v.

Civil Action No. 05-10596-NMG

TOWN OF PLYMOUTH, et al
Defendants.

JOINT MOTION TO AMEND SCHEDULING ORDER

The parties in the above-captioned matter move to amend the scheduling order in this case to extend the time to complete depositions, pursuant to Local Rule 16.1(D).

As grounds for their motion, the parties states as follows:

1. Plaintiff filed this action in the Plymouth Superior Court on March 2, 2005. Said case was removed to the Federal District Court on March 28, 2005.
2. The Scheduling Order currently requires that all fact depositions be completed by December 31, 2005. Additional time is needed to conduct depositions. Both Counsel for the parties are confident that they can notice and complete depositions by March 30, 2006.
3. Neither the parties nor the Court will suffer any prejudice by this brief amendment of the scheduling order in this case. Rather, amending the Scheduling Order will allow the parties to prepare the case properly, and may narrow or resolve the issues and allow for a more streamlined trial, if trial is necessary.
4. By amending the Scheduling Order it will be necessary to extend the remaining scheduling dates as follows: Designation of plaintiff's trial experts by April 28, 2006, and designation of defendant's trial experts by May 28, 2006. All expert

depositions by June 30, 2006. All dispositive motions for summary judgment by August 31, 2006 and responses by September 15, 2006. All discovery to be complete by June 30, 2006. Final Pre-trial Conference date to be rescheduled for November 15, 2006 at 3:00 p.m. or a date more convenient to the Court.

WHEREFORE, the parties respectfully request that the Court amend the scheduling order as set forth above and grant such further relief as the Court deems just and proper.

Respectfully submitted,

Plaintiff, Thomas M. Kelley
By his attorney

/s/Joseph R. Gallitano

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Dated: December 7, 2005